

GOVERNMENT OF TALANGANA  
ABSTRACT

T.S. - Forest (Conservation) Act, 1980 – Diversion of 38.00 ha of forest land in Tadicherla R.F. of Karimnagar District, for captive mining to meet the Coal requirement to Kakatiya Thermal Power Project (KTPP), in favour of Superintending Engineer, Civil Circle, Stage-II, KTPP, APGENCO – Final (stage-II) approval – Accorded.

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ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT  
G.O.Ms.No. 42  
Dated: 08-12-2017  
Read the following:

1. From PCCF, AP, Hyd. Lr Rc. No. 48643/2008-F1, Dt.20-12-2013.
2. Govt. Letter No. 10463/FOR.I (1)/2013, EFS&T (For.I) Dept.  
Dated:Dt.19.02.2014.
3. From Govt. of India, MoEF, Chennai, Lr.No.4-APC1007/2014,  
Dt.12.08.2014.
4. From PCCF, T.S., Hyd., Lr.Rc.No.48643/2008/FCA-3,  
Dated:07.10.2017.
5. Govt. Letter No.10463/FOR.I (1)/2013, EFS&T (For.I) Dept.,  
Dated:13.10.2017.
6. From Govt. of India, MoEF, Chennai, Lr.No.4-APB1007/2017-  
BAN/1796, dt.08.11.2017.

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O R D E R

In his letter 1<sup>st</sup> read above, the Prl. Chief Conservator of Forests (HoFF), A.P., Hyderabad has furnished a proposal for diversion of 38.00 ha of forest land in Tadicherla R.F. of Karimnagar District, for captive mining to meet the Coal requirement to Kakatiya Thermal Power Project (KTPP), in favour of Superintending Engineer, Civil Circle, Stage-II, KTPP, APGENCO.

2. In the letter 2<sup>nd</sup> read above, the proposal in para-1 above was forwarded to Government of India, Ministry of Environment & Forests, Chennai, for granting approval under section -2 of the Forest (C) Act, 1980.

3. In their letter 3<sup>rd</sup> read above, the Ministry of Environment & Forests GoI have granted in-principle (Stage-I) approval for the above proposal, subject to fulfillment of the conditions stipulated thereof.

4. In the letter 5<sup>th</sup> read above, Government of Telangana have sent the report of compliance on the conditions stipulated by GoI, as submitted by the Prl. Chief Conservator of Forests, Telangana State, Hyderabad in his letter 4<sup>th</sup> read above, to the Ministry of Environment & Forests, Chennai for according necessary approval.

5. In their letter 6<sup>th</sup> read above, the Central Government have granted final approval for the proposal in para 1 above, under Section 2 of the Forest (C) Act, 1980, subject to fulfillment of the conditions stipulated therein.

6. Accordingly, Government hereby accord **final (Stage-II)** approval for diversion of 38.00 ha of forest land in Tadicherla R.F. of Karimnagar District, for captive mining to meet the Coal requirement to Kakatiya Thermal Power Project (KTPP), in favour of Superintending Engineer, Civil Circle, Stage-II, KTPP, APGENCO under section-2 of the Forest Conservation Act, 1980, subject to fulfillment of the following conditions:-

- i. The legal status of the forest land shall remain unchanged;
- ii. State Government shall carry out compensatory afforestation and its maintenance for 7-10 years in identified non forest land over an extent

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of 38.00 ha in Sy No.603 at Parupally (V), Mutharam (M), Karimnagar District from the amount which has already been realized from the user agency;

- iii. Non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation, shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927 or under the relevant section of the State Forest Act as the case may be, to this Ministry for information and record,
- iv. Period of diversion of the said forest land under this approval shall be for a period of 20 years or co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) amendment Act, 2015, or Rules framed there under whichever is earlier;
- v. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the user agency;
- vi. The user agency shall maintain are upto 7.5 meters as safety zone area all along the boundary as per the guidelines issued under Forest (Conservation) Act, 1980. The State Government shall maintain safety zone from the amount which has already been realized from the user agency;
- vii. State Government shall carry out afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone at the cost of the user agency. Map of the degraded forest along with the DGPS co-ordinates shall be furnished to the Regional Office, Chennai within three months from the date of Stage-II approval;
- viii. State Government shall transfer the forest land to the user agency only after realizing the cost towards compensatory afforestation and its maintenance on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone and shall ensure that the payment is made through e-payment mode by generating the challan from the Ministry's web portal and same has to be deposited in the designated State CAMPA account only; Transfer of forest land to the User Agency shall not be effected before realization of the said amount.
- ix. User agency shall obtain environmental clearance under the Environment (Protection) Act, 1986, if required;
- x. The mining shall be done as per the mining plan approved by the competent authority and in strict compliance of all relevant acts and rules.
- xi. User agency shall carry out soil conservation measures at the project cost in consultation with DFO concerned;
- xii. The forest area shall be used for the purpose of mining, storage of materials and Over Burden dumps only. No permanent buildings or labour sheds should be constructed in the leased area;

(Contd...)

- xiii. Concurrent progressive reclamation followed by afforestation and maintenance with suitable species in consultation with DFO shall be taken up by the User Agency;
- xiv. The consent of State Pollution Control Board shall be obtained under Air and Water before commencement of mining operation;
- xv. A comprehensive monitoring shall be done at the end of five years to study the impact of mining. If it is found that the lessee has violated or is not complying with the stipulated conditions, then the approval given under the Forest (Conservation) Act, 1980 shall be revoked;
- xvi. The total forest area utilized for the project shall not exceed 38.00 ha. In case the land is not taken over by User Agency or the same is not used for the stipulated purpose within a period of two years from the date of Stage-II clearance, then the area shall be taken back by the Forest Department;
- xvii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xviii. The User Agency and the State Government shall ensure compliance to the all Acts, Rules, Regulation and Guidelines of the Ministry, for the time being in force, as applicable to the project;
- xix. The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agency or Department or person without prior approval of the Central Government;
- xx. All other conditions proposed by the State Government at the time of submission of the proposal to the Central Government shall be complied with by the user agency;
- xxi. The User Agency shall submit the annual self compliance report in respect of the above conditions to the Regional Office of the Ministry and to the State Government;
- xxii. Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area shall be complied by the user agency;
- xxiii. In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai;

7. The Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

DR. RAJAT KUMAR  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Principal Chief Conservator of Forests (HoFF),  
Telangana State, Hyderabad.

**Copy to:**

The Superintending Engineer, Civil Circle, Stage-II, KTPP,  
APGENCO (User Agency).

The Director, Government of India, Ministry of Environment & Forests and  
Climate Change, Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New  
Delhi 110 003.

SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER